IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Writ Petition No. 1917 of 2006

Sou.Shabana A.Bazak Shaikh ..Petitioner

vs,.

Shri Allabaksh Shahabuddin Shaikh ..Respondent

Shri V.P.Purwant for petitioner.

CORAM: S.B.MHASE J.
21st March, 2006

P.C.

1. Heard the learned Counsel.

2. The order passed on 8th February, 2006 by the IInd Joint Civil Judge, J.D,. Solapur on Exh.31 and Exh.32s in Reg.Civil Suit No.202 of 2004 is under challenge. It has been rightly pointed out that the public documents can be obtained by applying to the said body. Encroachment is to be proved by the petitioner/plaintiff and even if it is assumed that the respondent was given alternate accommodation by the Corporation yet the fact of surrender of the plaintiff's premises and re-entry of that premises will have to be proved by the petitioner/plaintiff. Therefore, the application is rightly rejected. No interference is called for. Petition is rejected.

(S.B.MHASE J.)